IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

(PIL) REVIEW PETITION NO. 63 OF 2005
IN
WRIT PETITION NO. 1527 OF 2005

JANHIT MANCH and others. ... Petitioners.

V/s.

BRIHANMUMBAI MUNICIPAL CORPORATION and others. ... Respondents.

Bhagvanji Rayani, petitioner No.2 in person.

Ms.Shobha Ajitkumar for respondent Nos.1 and 2.

Vishal Phal for respondent Nos.3 and 4.

CORAM: V.C.DAGA AND
S.J.VAZIFDAR, JJ.

DATED: 4th August 2007.

P.C.:

. Heard Shri Bhagvanji Rayani, petitioner No.2 who is appearing in person. Perused petition.

2. This review petition is filed against the order dated 10th August, 2005 passed in Writ

Petition No.1527/2005 by the Division Bench of this Court to which one of us (S.J.Vazifdar, J.) is party.

3. Having heard petitioner No.2 in person, it is not possible for us to entertain this review petition since the grievance made does not fall within the purview of order 47 of Code of Civil Procedure, 1908. When this aspect was brought to the notice of the the petitioner, he prayed for withdrawal of this review petition. Accordingly, permission to withdraw this review petition is granted.

4. At this stage, it will be relevant to note that petitioner No.2, pursuant to para-3 of the order of the Division Bench dated 10th August, 2005, has made a representation to the respondents on 19th September, 2005 which, according to petitioner No.2, has not received any attention of the authorities concerned. He wanted us to take cognizance of the complaint in review jurisdiction, which we found it difficult considering our limited jurisdiction. However, it is needless to mention that it would be open for the petitioners to approach appropriate forum to take up the issue on the fresh cause of action in

view of their representation dated 19th September, 2005.

5. In the result, review petition is disposed of in terms of this order with no order as to costs.

(S.J.VAZIFDAR, J.) **(V.C.DAGA, J.)**